FOR LEAVE TO AMEND

dase 3:07-cv-01988-DMS-NLS Document 63 Filed 07/11/2008

Page 1 of 3

**NOTICE OF MOTION** 

counsel may be heard, Defendants Ambu A/S, Ambu Inc., Ambu Ltd., and Ambu Sdn. Bhd.

hereby does, move the Court for an order granting leave to file an Amended Answer and

PLEASE TAKE NOTICE that on August 22, 2008, at 1:30 p.m., or as soon thereafter as

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## TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

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(collectively "Ambu") will appear in Courtroom 10 of the United States District Court for the Southern District of California, located at 940 Front Street, San Diego, CA 92101, and will, and 6

Counterclaims.

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FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

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**MOTION** 

Defendants Ambu A/S, Ambu Inc., Ambu Ltd., and Ambu Sdn. Bhd. hereby move the

Court for an order granting leave to file an Amended Answer and Counterclaims. A copy of the proposed amended pleading is attached to the accompanying Memorandum of Points and Authorities as Exhibit A. This motion is based upon this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, and such other oral and/or documentary evidence as may be presented at or before the time of the hearing.

Dated: July 11, 2008

FENWICK & WEST LLP

By: s/Dennis Faigal

Dennis Faigal

Attorneys for Defendants AMBU A/S, AMBU INC., AMBU LTD., and AMBU SDN. BHD.

Email: dfaigal@fenwick.com

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**CERTIFICATE OF SERVICE** 

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule 5.2 on July 11, 2008.

By: s/ Dennis Faigal

Dennis Faigal

E-mail: dfaigal@fenwick.com

FENWICK & WEST LLP ATTORNEYS AT LAW MOUNTAIN VIEW

AMBU'S NOTICE OF MOTION AND MOTION FOR LEAVE TO AMEND